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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/834,614	04/16/2001	Akihiro Murata	109278	3898

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EXAMINER

WANG, GEORGE Y

ART UNIT	PAPER NUMBER
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2882

DATE MAILED: 12/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/834,614

Applicant(s)

MURATA, AKIHIRO

Examiner

George Y. Wang

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☒ Claim(s) 19 and 20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-10, drawn to a method of making a mold, classified in class 164, subclass 6.
- II. Claims 11-20, drawn to an optical coupler, classified in class 385, subclass 89.

2. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, Group I can form a variety of molds that include battery grids and electrodes, plastics, glass, electronic baseboards, and cooking elements and is therefore not limited to a mechanical optical coupler.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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3. During a telephone conversation with Eric Morehouse on 22 November 2002 a provisional election was made with traverse to prosecute the invention of Group II, claims 11-20. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-10 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Specification

4. The abstract of the disclosure is objected to because upon election of the device claims, the recitation of the method is not longer pertinent to the claimed invention. Correction is required. See MPEP § 608.01(b).

5. The title of the invention is no longer descriptive of the elected invention. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Three-dimensional mounted assembly and optical transmission device."

Claim Objections

6. Claims 19 and 20 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form; and any further claim depending on such a dependent claim required to be similarly treated.

Any claim which is independent but written in dependent form such that it fails to further limit the subject matter of a previous claim is deemed as improper. *Ex parte Porter*, 25 USPQ2d 1144, 1147 (Bd. Of Pat. App. & Inter. 1992). Applicant may thereupon amend the claims to place them in proper dependent form, or may redraft them as independent claims, upon payment of any *necessary* additional fees.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chun et al. (U.S. Patent No. 5,522,002, from hereinafter "Chun") in view of Jacobowitz et al. (U.S. Patent No. 5,337,388, from hereinafter "Jacobowitz").

8. Regarding claim 11, Chun discloses a three-dimensional mount assembly (fig. 2, ref. 201) comprising a molded body (fig. 2, ref. 216), a plurality of electronic parts (fig. 2, ref. 207, 208) attached to the molded body, and a plurality of interconnections (fig. 2, ref. 203, 205) electrically connected to the electronic parts and attached to the molded body such that the interconnections are exposed on more than one side of the molded body (fig. 2, ref. 210-214; col. 6, lines 3-8).

However, the reference fails to disclose the sealing of the interconnections and the electronic parts to the molded body.

Jacobowitz discloses an optoelectric connector that attaches components by sealing them (fig. 6, ref. 58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have sealed the electronic parts and the interconnections for attachment to the molded body since one would be motivated to provide permanence to the configuration. The technique of sealing is well known in the art to attach and bond a variety of components together and therefore does not admit novelty. Furthermore, according to Jacobowitz, the permanence of a seal also provides protection from environmental stresses (col. 2, lines 58-60).

9. As to claim 12, Chun discloses the three-dimensional mount assembly as recited above where the molded body is a rectangular parallelepiped (fig. 2, ref. 216).

10. As per claims 13-14, Chun discloses the three-dimensional mount assembly as recited above where the molded body has a recess, exposing portions of the interconnections (fig. 2, ref. 206, 221, 226).

11. Regarding claims 15-16, Chun discloses the three-dimensional mount assembly as recited above where the recess is filled with a conductive material (fig. 2, ref. 222, 224, 228).

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12. As to claim 17-20, Chun discloses the three-dimensional mount assembly (fig. 3, ref. 301) as recited above where each of the electronic parts is an optical device and where the molded body has a hole (fig. 3, ref. 139) for linking an optical section of the optical device. Furthermore, Chun teaches an optical fiber (fig. 3, ref. 308) that provides optical linkage to other optical devices (fig. 3, ref. 107, 116) for optical transmission (fig. 3, ref. 303) via an optical connector (fig. 3, ref. 302) or plug.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Y. Wang whose telephone number is 703-305-7242. The examiner can normally be reached on M-F, 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 703-305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

gw
December 4, 2002

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